

HOUSE BILL No. 1077

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-46-3-11.

Synopsis: Law enforcement animals. Establishes increased penalties for causing serious injury to or the death of a law enforcement animal.

Effective: July 1, 2003.

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January 7, 2003, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1077

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-46-3-11 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 11. (a) A person who
3 knowingly or intentionally:

4 (1) strikes, torments, injures, or otherwise mistreats a law
5 enforcement animal; or

6 (2) interferes with the actions of a law enforcement animal while
7 the animal is engaged in assisting a law enforcement officer in the
8 performance of the officer's duties;

9 commits a Class A misdemeanor.

10 (b) **An offense under subsection (a)(1) is a Class D felony if the**
11 **act results in:**

12 (1) **serious permanent disfigurement;**

13 (2) **unconsciousness; or**

14 (3) **permanent or protracted loss or impairment of the**
15 **function of a bodily member or organ;**

16 **of the law enforcement animal. The offense is a Class C felony if**
17 **the act described in subsection (a)(1) results in the death of the law**



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1 **enforcement animal.**

2 (c) It is a defense that the accused person:

3 (1) engaged in a reasonable act of training, handling, or
4 discipline; and

5 (2) acted as an employee or agent of a law enforcement agency.

6 ~~(c)~~ (d) In addition to any sentence or fine imposed for a conviction
7 of an offense under this section, the court may order the person
8 convicted to make restitution to the person or law enforcement agency
9 owning the animal for reimbursement of:

10 (1) veterinary bills; and

11 (2) replacement costs of the animal if the animal is disabled or
12 killed.

13 SECTION 2. [EFFECTIVE JULY 1, 2003] **IC 35-46-3-11, as**
14 **amended by this act, applies to offenses committed after June 30,**
15 **1993.**

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